

EXHIBIT 1

From: Weaver, Tyler S.
Sent: Thursday, September 29, 2022 11:38 AM
To: Reilly-Bates, Gabe; Shane Cramer
Cc: Kellie McDonald; Erica Iverson; Carriaga, Nancy; Rubin, Susan
Subject: RE: Meeting this Afternoon

Shane, we're writing about the four documents you first told us on Tuesday afternoon you plan to allege were deleted by Jill Cronauer or someone else. We have been looking into the issue and while we are still doing so, we can tell you that 3 of the 4 documents you brought up on that phone call were not deleted. We can discuss, and I expect we will be discussing, whether the City believes our production was deficient in some aspect, and whether/how to remedy any issue, but that is an issue for us to meet and confer about it. It is not an issue properly raised in a motion for spoliation or sanctions, certainly before we have even talked about it. We also note that one of the documents you have raised as possible evidence of deletion – the Poquitos-0009 document – is from the fall of 2021. We have specifically limited our document production for Hunters to a date range ending June 30, 2021, just as the City has, following the Court's ruling on the City's motion for a protective order.

We are continuing to investigate one of the documents, the one you received from the Stable. The document you shared does not contain information about what type of message it is; for example, there are no email addresses of the sender or recipient displayed. If you have the native document, or any information about where it came from, or any metadata, it help us know where to look. We have no reason to believe it was deleted, and neither does the City. We again believe it is an inappropriate issue for a motion for spoliation, and certainly one that is unresolved in the less-than-48 hours we have had to look into your questions and accusations.

Tyler S. Weaver

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From: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>
Sent: Thursday, September 29, 2022 10:46 AM
To: Shane Cramer <shanec@harriganleyh.com>; Weaver, Tyler S. <tyler.weaver@morganlewis.com>
Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>; Carriaga, Nancy <nancy.carriaga@morganlewis.com>; Rubin, Susan <susan.rubin@morganlewis.com>
Subject: RE: Meeting this Afternoon

Hi Shane,

Regarding Oaksmith and Cronauer's text messages, we have completed our review and you may file them publicly.

Regards,

Gabe

Gabe Reilly-Bates

Morgan, Lewis & Bockius LLP

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From: Reilly-Bates, Gabe

Sent: Thursday, September 29, 2022 10:03 AM

To: 'Shane Cramer' <shanec@harriganleyh.com>; Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>; Carriaga, Nancy <nancy.carriaga@morganlewis.com>

Subject: RE: Meeting this Afternoon

Dear Shane,

I'm just following up on items you requested.

We will not stand on our confidentiality designation as to the following:

- Michael Malone deposition excerpts
- LaRisa DeYoung deposition excerpts
- Van Zandt deposition excerpts
- Signal spreadsheet excerpts
- Havana 14-26
- Donner deposition Ex. 86
- CHOP-0027040
- CHOP-0005544
- CHOP-0014726

We believe there is a valid basis for maintaining confidentiality as to the following due to sensitive information about third parties.

- POQUITOS-0009
- CHOP-45954
- CHOP-012168

We are still reviewing the confidentiality designation on the Oaksmith and Cronauer texts.

Regards,

Gabe

Gabe Reilly-Bates

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From: Shane Cramer <shanec@harriganleyh.com>

Sent: Wednesday, September 28, 2022 2:03 PM

To: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>; Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>; Carriaga, Nancy <nancy.carriaga@morganlewis.com>

Subject: RE: Meeting this Afternoon

[EXTERNAL EMAIL]

The Signal excerpts we are contemplating using are attached. Let us know if you intend to maintain these as confidential.

Thanks,
Shane

From: Shane Cramer

Sent: Wednesday, September 28, 2022 11:33 AM

To: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>; Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>; Carriaga, Nancy <nancy.carriaga@morganlewis.com>

Subject: RE: Meeting this Afternoon

Hi Gabe,

Below is an updated list of materials that your clients have designated as "confidential" that we currently are contemplating filing in connection with our motions tomorrow. Can you please let us know which, if any, of them you maintain should remain confidential and those for which you will withdraw the designation? If you plan to propose redacted versions that can be filed publicly (with the entire document being filed under seal), please provide those no later than 9:00 am tomorrow. If you would like to discuss any of the below, please let me know.

- Michael Malone deposition pages (see attached pages)
- DeYoung deposition pages (see attached pages)
- Van Zandt deposition pages (see attached pages)
- Signal spreadsheet excerpts from Dep Ex. 218 (we will send pages shortly)
- Cronauer Text Messages – CHOP-0028726
- Oaksmith Text Messages – Dep Ex. 154
- Havana_000014-26
- Donner Dep Ex. 86
- POQUITOS-000009
- CHOP-0005544
- CHOP-0004594
- CHOP-0012168
- CHOP-0014726
- CHOP-0027040

Thanks,
Shane

From: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>

Sent: Tuesday, September 27, 2022 2:16 PM

To: Shane Cramer <shanec@harriganleyh.com>; Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>; Carriaga, Nancy

<nancy.carriaga@morganlewis.com>

Subject: RE: Meeting this Afternoon

Hi Shane,

Could you please send us excerpts of the portions of the documents/copies of the documents below that you intend to use in your motions? That could assist our discussion.

Thanks,

Gabe

Gabe Reilly-Bates

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From: Shane Cramer <shanec@harriganleyh.com>

Sent: Tuesday, September 27, 2022 2:06 PM

To: Weaver, Tyler S. <tyler.weaver@morganlewis.com>; Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>

Subject: RE: Meeting this Afternoon

[EXTERNAL EMAIL]

On our call at 3:30, can we discuss your confidentiality designations for the following documents:

- Michael Malone deposition pages regarding discussion of missing texts
- Van Zandt transcript
- Jon Shane transcript
- Jill Cronauer text messages sheet (Malone Ex. 193)
- Michael Oaksmith text messages sheet (Malone Ex. 194)
- Bates Nos. Havana_000014-26
- Donner Dep Ex 86
- Signal Spreadsheet (DeYoung Ex. 218)
- CHOP-0004594
- CHOP-0012168
- CHOP-0014726
- CHOP-0027040

Thanks,

Shane

From: Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Sent: Tuesday, September 27, 2022 11:31 AM

To: Shane Cramer <shanec@harriganleyh.com>; Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>

Cc: Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>

Subject: Re: Meeting this Afternoon

That should be sufficient.

Tyler S. Weaver

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From: Shane Cramer <shanec@harriganleyh.com>

Sent: Tuesday, September 27, 2022 11:30:06 AM

To: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>

Cc: Weaver, Tyler S. <tyler.weaver@morganlewis.com>; Kellie McDonald <KellieM@harriganleyh.com>; Erica Iverson <ericai@harriganleyh.com>

Subject: RE: Meeting this Afternoon

[EXTERNAL EMAIL]

I can meet from 3:30 to 4:00, but have a hard stop at 4:00. Do you anticipate the meet and confer will take longer?

Shane

From: Reilly-Bates, Gabe <gabriel.reillybates@morganlewis.com>

Sent: Tuesday, September 27, 2022 11:04 AM

To: Shane Cramer <shanec@harriganleyh.com>

Cc: Weaver, Tyler S. <tyler.weaver@morganlewis.com>

Subject: Meeting this Afternoon

Hi Shane,

Are you able to meet this afternoon at 3:30 p.m. or 4:00 p.m.? Please let us know when you are available to meet.

Thanks,

Gabe

Gabe Reilly-Bates

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